IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HONOURABLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.7548 OF 2007

DATED 24-4-2007

BETWEEN

Shaik Shabuddin.

.. Petitioner

And

The Central Power Distribution Company
of A.P. Limited, Singareni Bhavan,
Hyderabad represented by its Chief Managing Director
and others.

.. Respondents

THE HONOURABLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.7548 OF 2007

Oral Order:

The petitioner purchased an extent of Ac.1.00 of land in survey No.24/Part, Edulabad Village, Ghatkesar Mandal, Ranga Reddy District through a registered sale deed dated 6.5.2003 from one B.Murahari. Thereafter, he applied for LT Agricultural Service Connection in his name. The same is said to have been sanctioned. Petitioner states that the respondents are insisting on payment of Rs.1,21,174/- towards arrears payable by M/s.Gayatri Ferrites (Consumer No.514-094). The petitioner contends that he has

absolutely nothing to do with M/s.Gayatri Ferrites and even assuming that any industry in that name was established in the land in question, he cannot be made liable to pay the arrears in relation thereto.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondent.

As of now, the respondents have not issued any notice of demand to the petitioner. Assuming that there exist any arrears payable by M/s.Gayatri Ferrites and that the said unit was established in the land purchased by the petitioner, the respondents do not have any right to require the petitioner to clear the arrears. In **Isha Marble vs. Bihar State Electricity Board**[1] the Supreme Court held that the purchaser of any unit or land cannot be held liable to pay the arrears that have accrued against the previous owner thereof. This has been followed in subsequent cases. In that view of the matter, the writ petition is disposed of, directing that the respondents shall not be entitled to recover any arrears payable by the previous owner of the land or any establishment thereon from the petitioner. It shall however be open to the respondents to proceed against the concerned consumer. No costs.

L.NARASIMHA REDDY,J

Dated 24.4.2007
msv

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[1] 1995 (5) SCC 648